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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/851,433	05/09/2001	Jun Koyama	0756-2307	2113	
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NIXON PEA	•	EXAMINER			
SUITE 800	SBORO DRIVE		KOVALICK, VINCENT E		
MCLEAN, VA 22102			ART UNIT	PAPER NUMBER	
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			DATE MAILED: 08/21/2003	χ,	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Applicant(s) Application No. Applicant(s) Applicant(s) ON/851,433 KOYAMA ET AL.								
## Examiner Art Unit 2673 ## The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. ** Extension of time may be available under the positions of 37 CPR 1.58(a). In role overs, however, may a reply be timely filled. ** If the period to reply is position do under the positions of 37 CPR 1.58(a). In role overs, however, may a reply be timely filled. ** If the period to reply is position do the last what the life of your part of the correspondence address. ** If the period to reply seporal do solows, the maximum statutory period will apply and will expire SN (th) MONTH's from the mailing date of this communication. ** If the period to reply is position to the last what the life of your part of the communication, even if timely filled, may reduce a may remore patent term adjustment. See 37 CPR 1.74(b). ** Proposed patent term adjustment. See 37 CPR 1.74(b). ** Proposed patent term adjustment. See 37 CPR 1.74(b). ** Status** 1) ** ** Responsive to communication(s) filled on \$Q9 May 2.001. 2a) ** 1) ** ** This action is FINAL. 2b) ** 1) ** 1) ** 1) ** 1) ** 20 ** 1) ** 2) ** 2) ** 1) ** 2) ** 2) ** 2) ** 1) ** 2) ** 3) ** 3) ** 3) ** 3) ** 3) ** 3) ** 3) ** 3) ** 3) ** 3) ** 3) ** 3) ** 3) ** 3) ** 4)		Application No.	Applicant(s)					
Vincent E Kovalick 2673	. Office Action Summers	09/851,433	KOYAMA ET AL.					
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>f</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Estendinos of time may be availated under the processions of 37 CER 1.15(a). In no event, however, may a reply be timely field If the period for reply specified shows the maximum statutory period will apply within the statutory minimum of thinly (30) days will be considered timely. If the period for reply specified shows the maximum statutory period will apply and will expose MINORTHS from the mailing date of this communication. Families to reply within the set or extension period for reply will, by statutory period will apply and will expose MINORTHS from the mailing date of this communication, event if the communication to become ABANDONED (38 U.S.C.§ 133). Responsive to communication(s) filled on <u>09 May 2001</u> . 20 This action is FINAL. 20 This action is FINAL. 20 This action is phication is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 Claim(s) 28-26 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 6 Claim(s) is/are rejected. 7 Claim(s) is/are allowed. 6 Claim(s) is/are allowed. 6 Claim(s) is/are allowed. 6 Claim(s) is/are allowed. 7 Claim(s) is/are allowed. 7 Claim(s) is/are allowed. 8 Safer allowed. 8 Claim(s) 28-26 are subject to restriction and/or election requirement. Application Papers 9 The specification is objected to by the Examiner. 10 The drawing(s) filed on is/are: all accepted or b) objected to by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12 The orthory of corrected drawings are required in reply to this Office action. 12 The orthory of corrected drawings are required in reply to this Office act	Office Action Summary	Examiner	Art Unit	∞				
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THE MAILING DATE OF THIS COMMUNICATION. Estensions of time may be valided under the proteined of 3° CFR 1.18(s). In no event, however, may a reply be timely filed after SX (5) MONTHS* from the mailing date of this communication, reply within the statistory middle after SX (5) MONTHS* from the mailing date of this communication, reply within the statistory middle and the mailing date of this communication. Falux to reply within the set or extended pende for reply well, by statute, cause the application to become ARANDONED (58 U.S. C.§ 130). Any reply review by this Cities are than three monitals after the mailing date of this communication, even if timely filed, may reduce any summarp patent term delipidiment. See 3° CFR 1.79(s). Status 1) Responsive to communication(s) filed on 99 May 2001. 2a) This action is FINAL. 2b) This action is FINAL. 2b) This action is Final. 2b) This action is coordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 28-54 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) is/are allowed. 8) Claim(s) 28-54 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is/are: a) approved by disapproved by the Examiner. 11 approved, corrected drawings are required in reply to this Office action. 12 All b) Some c) None of: 1 criffled copies of the priority documents have been received. 2 Certified copies of the priority documents have been received in Application No. 3 All b) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). 15 Ackno		ears on the cover sheet with the c	orrespondence ad	dress				
1) Responsive to communication(s) filed on 09 May 2001. 2a	 THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). 	i6(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) days ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed s will be considered timely the mailing date of this co D (35 U.S.C. § 133).					
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 28-54 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) Notice of References Cited (PTO-892) 20 Notice of References Cited (PTO-152)	<u>_</u>	May 2001 .						
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Application/Control Number: 09/851,433

Art Unit: 2673

DETAILED ACTION

1. This Office Action is in response to Applicant's Patent Application, Serial No. 09/851,433, with a File Date of May 9, 2001.

Election of Specie

2. This application contains claims directed to the following patentably distinct species of the claimed invention:

Figs. 5 and 6	constitute	Species 1
Figs. 7 and 8	constitute	Species 2
Figs. 9A and B	constitute	Species 3
Figs. 10A and 10B	constitute	Species 4
Figs. 11A and 11B	constitute	Species 5
Figs. 12A and 12B	constitute	Species 6
Figs. 13A and 13B	constitute	Species 7
Figs. 14A and 14B	constitute	Species 8
Figs. 15A and 15B	constitute	Species 9
Fig. 16	constitutes	Species 10
Figs 17A and 17B	constitute	Species 11
Fig. 18	constitutes	Species 12
Fig. 19	constitutes	Species 13
Fig. 20	constitutes	Species 14

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Figs. 21 and 22 constitute Species 15

Figs. 23A, 23B, 24A, 24B and 24C constitute Species 16

Figs. 26A, 26B, 26C, 26D, 26E, 27A and 27B constitute Species 17

Figs. 28A, 28B, 28C, 28D, 28E, 28F, 29A and 29B constitute Species 18

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Art Unit: 2673

Responses

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent E Kovalick whose telephone number is 703 306-3020. The examiner can normally be reached on Monday-Thursday 7:30- 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703 305-4938. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 306-0377.

Vincent E. Kovalick

August 14, 2003

BIPIN SHALWALA SUPERVISORY PATENT EXAMINER TECHNOLOGY GENTER 2600 Page 4